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INITIATIVE AND

REFERENDUM.

ISSUED BY THE

JOINT COMMITTEE ON DIRECT LEGISLATION

— REPRESENTING THE —

Oregon Farmers' Alliance,

Portland Federated Trades,

Portland Central Labor Council,

Oregon State Grange,

Oregon Knights of Labor.

W. D. HARF, Hillsboro

CHAS. E. SHORT, Woodlawn

W. S. VANDERBURG, Marshfield. T. E. KIRBY, Portland.

W. S. U'REN, Secretary, Milwaukee.

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Persons receiving these pamphlets are requested to read carefully and distribute or place where the public can get them.

NOTICE.

The INITIATIVE AND REFERENDUM *is not the political property of any party.* It is not a partisan question. The authority creating the Direct Legislation Committee expressly provides that it must be absolutely non-partisan in all its work. The system was endorsed in Massachusetts by all parties and they are now working together to put it in operation, just as they did the Australian ballot law.

On behalf of the thousands of voters besides members of our Orders now demanding the new system, we ask every good citizen to see that his party's platform contains the following plank :

"We demand a constitutional convention at the earliest possible date to revise the constitution and include therein the Initiative and Referendum; and that the new constitution be referred to the people for approval. We recommend that all our candidates for the Legislature individually pledge themselves in writing to this effect."

Financial aid, either in stamps or money, is requested from friends of this reform.

JOINT COMMITTEE ON DIRECT LEGISLATION.

W. S. U'REN, Sec'y, Milwaukie, Or.

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291 Alder St.,
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THE INITIATIVE AND REFERENDUM.

AN ADDRESS TO THE PEOPLE.

The orders named on our title page have united in a non-partisan effort to introduce in Oregon the Initiative and Referendum. They have already circulated much literature on the subject and now submit this pamphlet, 50,000 copies of which will be printed for circulation in Oregon.

The Initiative means that any citizen may write a proposed law, and if a number of voters, to be fixed by the constitution, shall petition in its favor, the secretary of state must submit it to a vote of the citizens at the next election. The legislature has no power over the Initiative method of making laws. The law is prepared by some of the people, filed with the secretary of state and by him sent direct to the people at the ballot box.

The Referendum means that the legislature must refer all its bills to the voters at the ballot box, and before any act can become a law it must receive a majority of the votes cast. All proposed laws are published by the state, city, county or district, according as to whether it is a state, city, county or district measure. With each law is printed a short statement of the reasons for and against its enactment.

This is the Swiss method, where in some states it has been in successful operation for 600 years. Zurich state, with a population of 340,000, and Zurich city, with 92,000 inhabitants, for forty years have permitted no law, tax levy or appropriation of public money to be made without a majority vote of the citizens, and they have no beggars, paupers, nor home-made millionaires. The

Swiss laws are by no means perfect, yet the combined wisdom of all the Swiss people, expressed through the Initiative and Referendum, has been sufficient to create an educational system so good that one of our ministers to that country said it seemed that the principal business of the nation was teaching school; every Swiss can read and write. Besides this, they have the best postal system in the world, and their wagon roads are universally admitted to be the best known. While their financial laws are yet crude, they are so much better than our own that this generation of Swiss have not known such a monetary stringency as our people are now passing through. Their military system is such that they can place 200,000 drilled, armed and equipped men in the field in one week. Their soldiers cost them \$7 per year for each man, while the cost, per man, of Oregon's militia is over \$40 a year. The railroads are controlled by the government to an extent that stops only short of ownership. The government decides the location of a proposed line, the time in which it must be built, the maximum rates for freight and passengers, and the number of trains to be run. The construction, repairs, time tables, rates and agreements are under the control of the post office department, and the government reserves the right to purchase at any time it may see fit. Discriminations are thus prevented. Wealth cannot buy law. Word fresh from the people through the ballot box is the highest law and cannot be overruled by any supreme court or other power. Criminal, corrupt and worse than worthless legislatures, like our last in Oregon, spending \$27,000 for clerk hire, besides other steals too numerous to mention, are an impossibility.

Under the Initiative and Referendum law making is merely a business proposition of public welfare. Demagogues, wire-pullers, ward-healers and pot-house politicians lose their power. Any man advocating a worthy

law can bring it to a vote within a year, while bad laws are as easily repealed. By constant study of law-making the people are ready for wise action at all times.

In nearly all the states of our Union the Referendum is used for making and amending constitutions. Proposals to issue bonds for state, county, city, town and district debts are almost universally referred to a direct vote of the people interested. If the people are wise enough to make their constitutions they are certainly competent to make the by-laws. The Referendum was used in Oregon on the proposition to increase the salaries of state officers, the people voting it down by an overwhelming majority, yet the next legislature violated the constitution by increasing the salaries indirectly. If the appropriation bill had to be submitted also, such a steal would be impossible.

It is the same system under which the famous New England town meetings do all their business, voting sometimes by ballot and at others by show of hands. The International Cigar Makers, Iron Moulders, Bakers, Brewers, Carpenters and Joiners, Carriage and Wagon Makers, Garment Workers, Granite Cutters, Tailors and Typographical Unions, embracing in all 1810 local organizations and upwards of 200,000 members, together with the Knights of Labor, with a membership nearly as large, make all laws for the government of their respective bodies by the Initiative and Referendum, and have done so for many years past.

Our state laws are often really made by the representatives of a small minority of the people. A political party, through gerrymandered districts and by a plurality vote for its candidates, (which is often less than two-fifths of all the votes cast) elects a majority of the legislature, perhaps forty representatives and twenty senators, and also the governor and supreme judge. The next thing is a caucus of all the legislators elected by the victorious

party at which a majority decide on a policy, so that the laws and appropriations which may or may not be made are settled on by not more than one-third of a law making body in which three-fifths of the voters are not represented at all, and nearly one-half of those whose candidates were elected see their representatives compelled to vote yea or nay at the dictation of the caucus and party boss. In the end it will be seen that barely one-fifth of the legislators are the real law-making power.

By the Initiative and Referendum this is all changed. No law is made unless a clear majority of all the votes cast at the ballot-box are in its favor. Therefore all laws made will be enforced because they will be supported by public sentiment.

Money is used now to buy or defeat the passage of laws, but one of the worst evils is the trading of votes and influence in the legislature—"You vote for my bill and I'll vote for yours." Without this no member can get his bill passed or considered, and if he goes home without passing his bill his people call him a block-head and he is not re-elected. This results in the enactment of many useless or bad laws and private jobs, giving us ten laws where one was needed. Law is made to serve special or private interests. The work is usually secret and, except those who fix it for their own advantage, no one knows just what is done. At the close of the last legislature three members from Multnomah county inquired of a prominent trades unionist if the amended city charter for Portland had passed both houses.

These evils are wholly abolished where the people vote the law. Secret fixing is no longer possible and the caucus cannot control the voters at the polls.

Our law-making bodies are composed of the representatives of the monied and monopolistic classes, with a few farmers, sometimes a mechanic, but never a day laborer. Yet the laborers are nearly half of our voters and the

farmers and mechanics at least one-third. It follows that our laws are made by the representatives of a class which is less than one-sixth of our voting population. History proves that any class having the power to make the law always legislates in its own interest. A glance at our well-fed, well-housed and clothed professional and monied classes on one side, and our ragged farmers and mechanics and tramping, starving laborers on the other demonstrates the truth of this statement.

When the people vote the law they will make it in the interests of all the people. As the wisdom of the whole body is always greater than the wisdom of any part, it follows that all the people must legislate more wisely than is possible for a few.

Under our present system a new law, whether good or bad, may be defeated by the power of one political boss, or of one speaker of the house of representatives, or of one president of the senate, or of one chairman of an important committee, or of one governor, or finally of one supreme judge, if only one vote is needed to declare the law unconstitutional.

The Initiative and Referendum wholly destroys this one-man power, because the boss cannot kill a law by defeating any candidates for office; it is not necessary that it should ever come under the power of the speaker of the house of representatives, the president of the senate, nor the chairman of an important committee; the governor has no veto, and if it gets a majority vote at the ballot box the supreme court of the state has no power to declare it unconstitutional.

Under the present system it is the work of years, and often of generations to get a new law made or a bad law repealed, it being necessary to elect and have in office all at the same time a favorable majority of both houses of the legislature, a governor and a majority of the supreme court. This is especially the case where any

great corporations, wealthy individuals or political bosses fear they would be hurt by the change, even though ninety-nine voters out of every hundred would be benefited.

By the Initiative and Referendum any such proposal, either for the enactment of a new law or the repeal of an old one—or twenty of them at one time—can be brought before the people at the ballot box, voted on and decided in one or at most two years, at an expense which will not exceed the cost of the clerk hire of our last legislature, over and above the ordinary election expenses.

Where there is necessity for immediate action, as was supposed to be the case on the Sherman law last summer, it could be submitted to the people and voted on in less time than it took the President to make up his mind to call an extra session of Congress, at less cost than the extra session. Nor would it be decided by giving the victory to that body of voters which could live the longest without sleep. Such shame as that is reserved for the so-called "higher classes."

Under the Initiative and Referendum offensive partisanship is reduced to almost nothing because the people decide on the laws as they do on any other business or moral proposition. It is really a government by the people for all the people instead of government by a party for the party. It makes the officials our real agents and servants instead of our masters and owners.

It is objected to the system that the people are too ignorant to form an intelligent opinion on the laws, but the man who makes this objection never thinks of himself in that way, and generally objects to having a man vote at any election unless he pays taxes on at least \$1000 and can read and write and explain the constitution. In short, he is not one of those who trust the people. This idea that the people do not or cannot know what they want and need and are yet wise enough to choose

representatives who know better than the people what is for the people's good and will do the best they know, is the modern form of the ancient belief in the divine right of kings and nobles to make laws for all the people, or for their "children" as they called us.

It is objected also that our state is too large, being six times larger than all Switzerland, even though Oregon has little more than one-tenth the population. But the telegraph, telephone and locomotive make the Oregon of today really smaller than the Multnomah county of forty years ago. Times have changed and much territory no more makes a great state than much flesh makes a great man.

Do the farmers of Eastern Oregon believe themselves wise enough to vote on a bill for a portage railway at The Dalles?

Does any taxpayer believe himself too ignorant to vote on a mortgage tax law?

Are the farmers and other workers of the state competent to vote on a maximum rate law for the railroads, and would the railroad men be willing to accept the decision of the people on an employer's liability law, and would not such a decision on a salmon law be satisfactory to the fishermen?

How long would the office of sheriff in Multnomah county be worth \$25,000 a year if the people of the county were given an opportunity to abolish the fees and fix a salary?

How much tax money would be saved if the legislature was compelled to submit general and special appropriation bills to a vote of the people? Read the following from a prominent independent journal. If it is right the saving would amount to \$10 for every voter in the state:

"By the time they (the people) pay the \$2,705,496.17, appropriated by the last legislature, possibly they will be able to appreciate the necessity of taking out of the power of their servants the possibility of doing harm. The peo-

ple should adopt the Referendum and thus be able to protect themselves. With it they could protect the constitution, and make it impossible for corporations and boodlers to obtain unjust measures by which to profit at the expense of the people. If the people had the veto power they have delegated to the governor they would cut off over \$800,000 of the last appropriation bill. If they had the Initiative they would soon cut off the expenses of the State Printing office to at least fifty per cent. of the \$92,500 appropriated by the last legislature. But the people will yet learn that no servant, be he democrat, republican or populist, will prove invulnerable to corruption when given such opportunities as now exist in this state. When the people take away the opportunity to do wrong, the servant will be honest. No party that fails to adopt the Initiative and Referendum is worthy the support of the taxpayers."

What would be the saving if county courts could make no appropriation of public funds unless the same was fixed by law made at the ballot box? No County Judge could pay \$10,000 cash and run his county in debt \$40,000 more for a jail site, without even advertising for proposals as was done in Multnomah county, and this in spite of the constitution prohibiting any debt in excess of \$5000. Shrewd and unscrupulous schemers could not hypnotize weak county courts into wasting thousands of dollars of the people's money on Present Ownership book contracts and accepting the job when half done, to the very great advantage of the schemers.

What would be the saving if city councils could not give or grant away valuable street or other franchises, or buy or sell water or light plants without first getting the approval of the people of their city at the ballot box?

The Referendum will prevent the passage of any law or appropriation that does not meet the approval of a majority of the people affected by it.

The Initiative and Referendum provides a safe, cheap, reliable method of learning the will of the majority on any question at any time, and under which we shall have no law that is not the will of the majority expressly stipulated at the ballot box.

If you believe this to be better than the present representative system of making law, then we hope you will do all in your power from this time forward to cause it to be demanded by resolution of every convention of every political party in Oregon, and that you will exact from every candidate for the legislature without regard to his politics, this pledge in writing: "I will do all in my power to cause the calling of a Constitutional Convention in Oregon at the earliest possible date for the purpose of so amending the constitution as to make the Initiative and Referendum the system of making law in Oregon," and steadfastly work and vote against any candidate who does not fully give this pledge.

It is not in any sense a partisan question and should not be permitted to become so. This system was endorsed by both republican and democratic conventions in Massachusetts. Your committee hope to see the same thing done in Oregon by all parties. It is the object of our respective Orders to enlist the opinion of all the people in favor of the proposal in order that it may be made the system of Oregon without any more of a partisan effort than was applied in securing the Australian Ballot Law. If the people work earnestly to this end and elect no man to the legislature who has not signed that pledge, before the close of 1894 the Initiative and Referendum will be the system of law-making in Oregon.

The movement in favor of this reform is being pushed forward with fair prospects of success in nearly every state in the Union. The educational agitation is everywhere showing progress and another legislative season will make it a law in many of our leading states. Why not Oregon?



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RESULT OF A TRIAL IN CALIFORNIA.

Showing that the People Can Be Relied Upon for an Intelligent Decision on Public Questions.

The last legislature of California, through the Referendum, referred nine different propositions to the voters at the ballot box, as follows: 1st. Shall United States senators be elected by the people? The majority in favor of this proposition was more than 14 to 1 in a vote of over 200,000. 2d. An act to provide for a state ferry and passenger depot in San Francisco, to be built on state land, by money obtained from a sale of bonds for that purpose; carried by a majority of 866 in a vote of 181,726. 3d. Proposing "an educational qualification, requiring every voter to be able to write his name and read any section of the constitution in the English language;" carried by a vote of nearly 4 to 1 in a total of 192,379. 4th. A cleverly masked proposition to create a state bonded debt, the proposition being to "refund the debt" as it appeared on the ballots. This proposition received much favorable notice from the leading newspapers, yet so many voters saw through the scheme that it was beaten by 5704 in 165,504. 5th. A constitutional amendment increasing the session of the legislature to 100 days, was defeated 4 to 1 in 190,273. 6th. Constitutional amendment authorizing the board of education of any county, city, town or township to contract debts in excess of a small sum upon a two-thirds majority in favor of it at an election held for that purpose; carried with a majority of 2 to 1 in a vote of 168,490. 7th. A constitutional amendment relating to salaries and duties of state officers, and giving the legislature power after a certain time to reduce some salaries, was carried by a majority of nearly 3 to 1 in a vote of 172,199. 8th. A constitutional amendment limiting the power of officials to incur deficiencies, requiring a bill for each appropriation except the ones for the support of the general government and state institutions, and giving the governor power to veto single items in a bill and approve others, received 18,422 majority in a vote of 156,994. 9th. A constitutional amendment, allowing cities to make their own charters, was carried by a majority of 72,541, 156,693 votes being cast.

↳ We must remember, however, that this was not a fair trial of the Swiss Referendum, because no statement of the reasons for and against any act was printed therewith, while under the Initiative and Referendum the government is required to print a short, impartial statement of the reasons offered for and against every proposal. Had this been done the vote would have been larger.